

REMARKS

This responds to the Final Office Action dated October 28, 2010.

Claims 1-4 and 10 are amended, claim 7 is canceled, and claim 11 is added; as a result, claims 1-6 and 10-11 are now pending in this application.

Claim 7 is rewritten as claim 11 to address the objection to claim 7 under 37 C.F.R. § 1.75(c).

The Rejections of Claims Under § 112

Claims 1-7 and 10 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. As this rejection may be maintained with respect to the pending claims, it is respectfully traversed.

The Examiner asserts that the claims are drawn to a recombinant vector for the expression of a siRNA or a miRNA; however, the claims recite “wherein the nucleotides at the 3' end are selected to result in asymmetry in siRNA strand selection into an interference complex.” It is believed that the amendments to claims 1, 3, 4, and 10 render this rejection moot.

Claim 2 was rejected for reciting “cloning site” when the claim on which it depends does not recite that phrase. The amendment to claim 2 to recite “restriction site for” cloning renders this rejection moot.

Withdrawal of the 35 U.S.C. § 112, second paragraph, rejections is respectfully requested.

AMENDMENT AND RESPONSE UNDER 37 C.F.R. § 1.116 - EXPEDITED PROCEDURE

Serial Number:10/564,020

Filing Date: January 9, 2006

Title: siRNA EXPRESSION SYSTEM

Page 8

Dkt: 2312.001US1

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's representative at (612) 373-6959 to facilitate prosecution of this application.

If necessary, please charge any additional fees or deficiencies, or credit any overpayments to Deposit Account No. 19-0743.

Respectfully submitted,

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.
P.O. Box 2938
Minneapolis, MN 55402--0938
(612) 373-6959

Date December 21, 2010

By 

Janet E. Embretson
Reg. No. 39,665